

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**TAMMY SIMPSON, INDIVIDUALLY  
AND MARVIN CHARLEY,  
INDIVIDUALLY, HUSBAND AND  
WIFE, TAMMY SIMPSON, AS  
GUARDIAN AND NEXT FRIEND OF  
P.S. AND B.C., MINOR CHILDREN**

**Plaintiffs,**

**v.**

**No. 1:18-cv-01169 KG-LF**

**UNITED STATES OF AMERICA;  
SARA MICHAELS, M.D.; BRANDON  
ANDERSON, THOMAS BURNISON, M.D.;  
DONALD BRUNK, M.D.; MARGARET  
THOMA, M.D.; SAN JUAN ONCOLOGY  
ASSOCIATES, P.C. and its agents;  
JEFFREY NEIDHART, M.D.;  
BLACK AND WHITE CORPORATIONS 1-10;  
AND JOHN AND JANE DOES 1-10,**

**Defendants.**

**AMENDED ORDER SUBSTITUTING THE  
UNITED STATES FOR CERTAIN DEFENDANTS**

THIS MATTER came before the Court on the Amended Notice of Substitution filed by the United States of America, and the Court is fully advised in the premises. After consideration of the United States' Amended Notice of Substitution and the entire record in this matter,


THE COURT CONCLUDES that the United States is the only proper federal defendant with respect to the common law tort claims alleged in the Complaint against Defendants Sara Michaels, M.D.; Thomas Burnison, M.D.; Donald Brunk, M.D.; Margaret Thoma, M.D.; and Brandon J. Anderson, Pharm. D.

IT IS THEREFORE ORDERED that the United States is substituted as a party defendant

with respect to the claims alleged in the Complaint against Defendants Sara Michaels, M.D.; Thomas Burnison, M.D.; Donald Brunk, M.D.; and Margaret Thoma, M.D., and Plaintiff's claims against Defendants Sara Michaels, M.D.; Thomas Burnison, M.D.; Donald Brunk, M.D.; Margaret Thoma, M.D.; and Brandon J. Anderson, Pharm. D., are dismissed with prejudice.

IT IS FURTHER ORDERED that hereafter, the caption for this cause shall be: Tammy Simpson, individually and Marvin Charley, individually, husband and wife, Tammy Simpson, as guardian and next friend of P.S. and B.C., minor children vs. The United States of America; San Juan Oncology Associates P.C. and its agents; Jeffrey Neidhart, M.D.; Black and White Corporations 1-10; and, John and Jane Does 1-10.

SO ORDERED.



UNITED STATES DISTRICT JUDGE

Submitted by:

/s/ Roberto D. Ortega 6/21/19  
ROBERTO D. ORTEGA  
Assistant United States Attorney